



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 * 989.837.2717 Fax ♦ www.cityofmidlandmi.gov

REGULAR MEETING OF THE MIDLAND CITY COUNCIL
City Hall, 333 W. Ellsworth Street

March 21, 2016

7:00 p.m.

AGENDA

CALL TO ORDER - [Maureen Donker, Mayor](#)

PLEDGE OF ALLEGIANCE TO THE FLAG

Boy Scout Troop 768 - St. Brigid Catholic Church School

ROLL CALL - Thomas W. Adams
Steve Arnosky
Diane Brown Wilhelm
Maureen Donker
Marty A. Wazbinski

CONSIDERATION OF ADOPTING CONSENT AGENDA ITEMS:

All resolutions marked with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate consideration of these items unless a Council member or citizen so requests during the discussion stage of the "Motion to adopt the Consent Agenda as indicated". If there is even a single request the item will be removed from the consent agenda without further motion and considered in its listed sequence in regular fashion.

APPROVAL OF MINUTES:

1. [* Approve minutes of the March 9 special, March 14 regular, and March 15 and 16 special City Council meetings. TISDALE](#)

PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS:

2. [School Resource Officer Unit Presentation. BLOCK](#)

PUBLIC HEARINGS:

PUBLIC COMMENTS, IF ANY, BEFORE CITY COUNCIL. (Please sign up with City Clerk before meeting). This is an opportunity for people to address the City Council on issues that are relevant to Council business but are not on the agenda.

ORDINANCE AMENDMENTS:

RESOLUTIONS:

3. * Considering reappointments of incumbents to boards and commissions and establishing a timeline for filling remaining vacancies. RICHART
4. Receiving and filing the City Manager's report concerning the Special Assessment District for the Shopping Area Redevelopment Act (SARA) assessment and setting a public hearing of necessity on the proposed improvements (4/11) TISDALE

Considering purchases and contracts:

Setting a public hearing:

NEW BUSINESS:

TO CONTACT THE CITY WITH QUESTIONS OR FOR ADDITIONAL INFORMATION:

Citizen Comment Line:	837-3400
City of Midland website address:	www.cityofmidlandmi.gov
City of Midland email address:	cityhall@midland-mi.org
Government Information Center:	located near the reference desk at the Grace A. Dow Memorial Library

Attached documents for item Maureen Donker, Mayor

Attached documents for item * Approve minutes of the March 9 special, March 14 regular, and March 15 and 16 special City Council meetings. TISDALE

March 9, 2016

A special meeting of the City Council was held Wednesday, March 9, 2016, at 6:30 p.m. at the Currie Golf Course Clubhouse. Mayor Donker presided.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski

Councilmen absent: None

CITIZENS ACADEMY

City Council held a discussion with the participants of the 2016 Citizens Academy.

Being no further business the meeting adjourned at 9:00 p.m.

Selina Tisdale, City Clerk

March 14, 2016

A regular meeting of the City Council was held on Monday, March 14, 2016, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski

Councilmen absent: None

MINUTES

Approval of the minutes of the February 29, 2016 regular meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski. (Motion ADOPTED.)

2015-16 CENTER CITY AUTHORITY FUND BUDGET AMENDMENT

Community Affairs Director Selina Tisdale presented information on an amendment to the 2015-16 Center City Authority Fund budget to recognize \$136,081 in additional revenue and expenditures as a result of a grant from the Midland Area Community Foundation Entranceways Initiatives Fund for two Center City projects. A public hearing opened at 7:10 p.m., recognizing no public comments, the hearing closed at 7:10 p.m. The following resolution was then offered by Councilman Adams and seconded by Councilman Arnosky:

WHEREAS, in accordance with Sections 5.11, 11.4 and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing on Monday, March 14, 2016 on the proposal to amend the FY 2015-16 Center City Authority budget to recognize \$136,081.00 in unanticipated revenues and expenditures as a result of a grant from the Midland Area Community Foundation Entranceways Initiative Fund for signal pole painting and landscaping projects in the Center City district; now therefore

RESOLVED, that the FY 2015-16 Center City Authority budget is hereby amended to increase revenue and expenditures by \$136,081.00 to recognize a grant made by the Midland Area Community Foundation Entranceways Initiative Fund for signal pole painting and landscaping projects in the Center City district. (Motion ADOPTED.)

MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION – EMERSON

Department of Public Services Director Karen Murphy presented information on a grant application to the Michigan Natural Resources Trust Fund for the riverside renovation project in Upper Emerson Park. A public hearing opened at 7:25 p.m. Speaking in support of the project were Bart Heil, City of Midland Parks Supervisor, Dennis Polanski, Chippewa Nature Center and Elian Lipschitz, Little Forks Conservancy. The public hearing closed at 7:30 p.m. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, in accord with Sections 5.11, 11.4, and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing on Monday, March 14, 2016, on the proposal to submit a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park; and

WHEREAS, Parks and Recreation staff have secured adequate local matching funds to support the grant application, which consists of grants from the Saginaw Bay Watershed Initiative (\$35,000), the Friends of the Pere Marquette Rail Trail (\$5,000), and the Midland Area

Community Foundation (\$40,000), along with \$25,000 in the FY2015/16 Parks Capital budget designated for the project; and

WHEREAS, the Parks and Recreation Commission voted unanimously at their March 10 meeting recommending support of the grant application and the future project; now therefore RESOLVED, that the City Council hereby supports the grant application to the Michigan Natural Resources Trust Fund for \$300,000, with the aforementioned local match amount of \$105,000 (25%) of the total \$405,000 project cost reserved specifically for use toward the project during the FY2015/16 year. (Motion ADOPTED.)

PUBLIC COMMENTS

No comments were made.

2016 SIDEWALK IMPROVEMENT PROGRAM

City Engineer Brian McManus presented an overview of requests received from the public for the 2016 Sidewalk Improvement Program. Gordon Tarn, spoke regarding the sidewalk requests he made for Jefferson and Ted Doan Drive. The original resolution was then offered by Councilman Adams and seconded by Councilman Wazbinski. Councilman Brown Wilhelm moved, seconded by Councilman Arnosky, to remove Jefferson Avenue (east side) from Broadhead Drive to Oakbrook Drive, Jefferson Avenue (east side) from Soccer Drive to Julie Ann Court and Ted Doan Drive (south side) from Jefferson Avenue to Alan Ott Drive and to add Jefferson Avenue (east side) from Broadhead Drive to Joseph Drive. (Motion ADOPTED.) Councilman Wazbinski moved, seconded by Councilman Brown Wilhelm, to remove Waldo Avenue (west side) from James Savage Road to Yale Avenue. (Motion ADOPTED.) The following amended resolution was then presented for consideration:

WHEREAS, the City Council has had under consideration the construction of concrete sidewalks, to be financed in part by special assessment, located in certain streets in the City of Midland, said streets being:

Jefferson Avenue (east side)	from Broadhead Drive to Joseph Drive
Wheeler Street (south side)	from Trotters Pointe Circle to Congress Drive

; now therefore

RESOLVED, that the City Manager is directed to prepare a report which shall include estimates of the expense thereof, an estimate of the life of the improvement, and a description of the district benefited to enable the Council to decide the cost, extent and necessity of the improvement proposed and what part or portion thereof should be paid by special assessments upon property especially benefited, and what part, if any, should be paid by the City at large, in conformance with the provisions of Chapter 20 of the Code of Ordinances of the City of Midland, Michigan. (Motion ADOPTED.)

PURCHASE OF FAN COIL UNITS – WASHINGTON WOODS

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for replacement fan coil units, Bid No. 3753; and

WHEREAS, sufficient funds are included in account # 536.9010.97.002. Capital Outlay and Construction of the approved Washington Woods 2015/16 budget; now therefore

RESOLVED, that the proposal meeting City specifications submitted by Carrier Corporation of Byron Center, MI for purchasing fan coil units in response to Bid No. 3753 is hereby accepted; and

UNAPPROVED

RESOLVED FURTHER, that a purchase order for \$163,776.48 to Carrier Corporation of Byron Center, MI in accord with this resolution and City specifications is hereby authorized; and

RESOLVED FURTHER, that the City Manager is authorized to execute any associated documents in accordance with the proposal and City of Midland specifications once prepared by and/or approved by the City Attorney. (Motion ADOPTED.)

PURCHASE OF PATIO DOORS, WINDOWS & PANELS – WASHINGTON WOODS

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for replacement windows and patio doors, Bid No. 3759; and

WHEREAS, sufficient funds are included in account # 536.9010.97.002. Capital Outlay and Construction of the approved Washington Woods 2015/16 budget; and

WHEREAS, portions of each bid proposal received from Laurence Smith of Bay City and DeWitt Lumber of Midland have been found to be in compliance with the bid specifications and advisable for execution; now therefore

RESOLVED, that the portion of the proposal meeting City specifications submitted by Laurence Smith of Bay City for purchasing patio doors, windows, handles and frame extenders in the response for Bid No. 3759 is hereby accepted; and

RESOLVED FURTHER, that the portion of the proposal meeting City specification submitted by DeWitt Lumber of Midland for purchasing exterior architectural panels, J channel, drip caps and sealants/caulk in response for Bid No. 3759 is hereby accepted; and

RESOLVED FURTHER, that purchase orders for \$294,609.37 to Laurence Smith of Bay City and \$41,495.00 to DeWitt Lumber of Midland in accord with this resolution and City specifications are hereby authorized; and

RESOLVED FURTHER, that the City Manager is authorized to execute any associated documents in accordance with the proposal and City of Midland specifications once prepared by and/or approved by the City Attorney. (Motion ADOPTED.)

2016 HARRISON, NOESKE & PRINCETON STREET RECONSTRUCTION & WATER MAIN

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for reconstruction, including water main, of the following segments of roadway: Harrison Street from Ashman Street to Noeske Street, Noeske Street from Helen Street to Balfour Street, and Princeton Court from Jefferson Avenue to the end of the court; and

WHEREAS, funding for this project is provided by the Local Street Fund and the Water Fund; now therefore

RESOLVED, that the low sealed proposal submitted by Malley Construction of Mt. Pleasant, Michigan, for the "2016 Harrison, Noeske & Princeton Street Reconstruction & Water Main; Contract No. 06", in the indicated amount of \$527,086.94, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$20,000.00. (Motion ADOPTED.)

2016 PAVEMENT MARKING PROGRAM

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for the annual pavement marking of major streets; and

WHEREAS, sufficient funding for this project is provided by the Major Street Fund; now therefore

RESOLVED, that the sealed proposal submitted by P.K. Contracting, for the "2016 Pavement Marking Program; Contract No. 17", in the indicated amount of \$47,295.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying this contract in an aggregate amount not to exceed \$10,000.00. (Motion ADOPTED.)

STREET TREE REPLACEMENT PROGRAM

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals were advertised and received in accordance with Article II of Chapter 2 of the Midland Code of Ordinances for Bid No. 3760, "Street Tree Replacement"; and WHEREAS, the low bidder, Agroscaping, Inc. of Swartz Creek, Michigan has provided tree planting services to the City in the past with good results; and

WHEREAS, adequate funding for the planting of replacement outlawn trees is included in the FY 2015-2016 Forestry budget; now therefore

RESOLVED, that the issuance of a purchase order to Agroscaping, Inc. of Swartz Creek, Michigan not to exceed \$60,000.00 for the planting of replacement trees in the city rights-of-way in accordance with the proposal and City specifications is hereby authorized. (Motion ADOPTED.)

PROPOSED 2015-16 WASHINGTON WOODS BUDGET AMENDMENT

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, Washington Woods is in need of replacing an original 1976 boiler and tanks in the west wing; and

WHEREAS, Washington Woods has been approved to use \$42,074.00 of Community Development Block Grant funding for west wing boiler and tank replacement; and

WHEREAS, the approved CDBG funds are not included in the Washington Woods FY 2015-16 budget; and

WHEREAS, the additional expenditure of \$42,074.00 for the equipment and installation is not provided for in the current fiscal year 2015-16 budget; and

WHEREAS, it is necessary to amend the FY 2015-16 Washington Woods budget for the purpose of recognizing the CDBG funding and authorizing the expenditure of these CDBG funds for the purpose of replacing the west wing boiler and tank; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., April 11th, 2016 in the Council Chambers of City Hall on the proposal to amend the FY 2015-16 Washington Woods budget for the purpose of replacing a west wing boiler and tanks. (Motion ADOPTED.)

PROPOSED 2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, the City of Midland is expected to receive \$242,289 in Community Development Block Grant (CDBG) funds for fiscal year 2016-17 from the U.S. Department of Housing & Urban Development; and

WHEREAS, it is expected that the City will have a fund balance of \$80,103 that will be carried over from prior fiscal years; and

WHEREAS, it is expected that the City will receive a total of \$10,497 in program income during the 2016-17 fiscal year; and

WHEREAS, CDBG revenues totaling \$332,889 must be programmed to activities that meet the statutory goals and the City's objective of the CDBG program, as outlined in the 2015-2020 Consolidated Plan; and

WHEREAS, on March 2, 2016, the Housing Commission unanimously recommended approval of the proposed 2016-17 CDBG budget, as set forth in the attached table (Attachment A), which meets said goals and objective of the CDBG program; and

WHEREAS, it is necessary to provide an opportunity for public input on the proposed expenditure of said funds in accordance with the required 30-day public comment period to commence on Thursday, March 24, 2016; now therefore

RESOLVED, that a public hearing will be held on April 25, 2016, for the purpose of receiving public input on the use of federal funds through the City's Community Development Block Grant program, as set forth in the attached table (Attachment A). (Motion ADOPTED.)

Being no further business the meeting adjourned at 8:15 p.m.

Selina Tisdale, City Clerk

UNAPPROVED

March 15, 2016

A joint meeting of the Midland City Council and Midland County Board of Commissioners was called to order by Midland County Chair Mark Bone, at 5:30 p.m. on March 15, 2016, in the Midland County Board of Commissioners Room.

Councilmen present: Thomas Adams, Steve Arnosky, Maureen Donker, Marty Wazbinski
Councilmen absent: Diane Brown Wilhelm

Commissioners present: Mark Bone, Eric Dorrien, James Geisler, Richard Keenan, Alan Kloha, James Leigeb, Scott Noesen

Commissioners absent: None

COMMUNITY DASHBOARD

Heard presentation by David Callejo Perez on a community dashboard – sponsored by the Midland Area Community Foundation.

Being no further business the meeting adjourned at 6:42 p.m.

Jon Lynch, Deputy City Clerk

March 16, 2016

A special meeting of the City Council was held Wednesday, March 16, 2016, at 6:30 p.m. in the Council Chambers in City Hall. Mayor Donker presided.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker

Councilmen absent: Marty Wazbinski

CITIZENS ACADEMY GRADUATION

City Council held a special graduation session with the participants of the 2016 Citizens Academy.

Being no further business the meeting adjourned at 8:30 p.m.

Selina Tisdale, City Clerk

Attached documents for item School Resource Officer Unit Presentation. BLOCK

SUMMARY REPORT TO MANAGER
For City Council Meeting of March 21, 2016

SUBJECT: Presentation by the School Resource Officer Unit

INITIATED BY: Midland Police Department

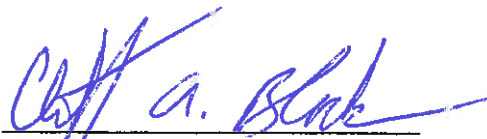
RESOLUTION SUMMARY: No resolution

ITEMS ATTACHED:

Transmittal Letter

COUNCIL ACTION:

No action required



Clifford A. Block
Police Chief

Midland

Police Department • 2727 Rodl Street • Midland, Michigan 48640-4474 • 989.631.5716 • 989.839.4734-Fax • citypolice@midland-mi.org

DATE: March 17, 2016

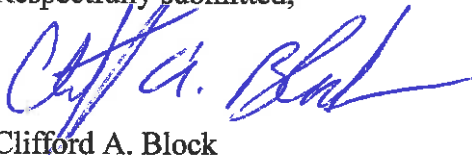
TO: Jon Lynch, City Manager

FROM: Clifford Block, Police Chief

RE: School Resource Officer Unit Presentation

During the school year of 2009, the Midland Police Department and the Midland Public Schools embarked on a new adventure with the formation of the School Resource Officer Unit. Dow High and Midland High each have an officer specifically assigned to their school as well as to coordinate and work with each of their respective intermediate and elementary feeder schools within the city of Midland. Now, seven years later, our school resource officers and school administrators will provide Council with their insight, perspective, and experiences regarding the great success of this program.

Respectfully submitted,



Clifford A. Block
Police Chief

Attached documents for item * Considering reappointments of incumbents to boards and commissions and establishing a timeline for filling remaining vacancies. RICHART

SUMMARY REPORT TO THE CITY MANAGER
for City Council Meeting of March 21, 2016

SUBJECT: BOARDS AND COMMISSIONS APPOINTMENTS

RESOLUTION SUMMARY: The attached resolution reappoints members to various boards and commissions.

ITEMS ATTACHED:

1. Letter of Transmittal
2. 2016 Appointment Process and Timeline
3. List of Boards and Commissions Members with terms expiring in 2016
4. Resolution

COUNCIL ACTION:

3/5 vote required to approve resolution

Libby Richart
Communications Coordinator



Midland

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March 16, 2016

Jon Lynch, City Manager
City of Midland
Michigan

Dear Jon:

More than 70 City of Midland residents serve on the 13 City Council-appointed boards and commissions that provide Midland City Council with valuable information involving most aspects of our community, from Aviation to Zoning. Some of these boards and commissions members have been appointed to terms that will expire on June 30, 2016.

In the past, Council has followed a two-step process for filling boards and commissions vacancies. In the first step, Council considers reappointing those members with expiring terms who have expressed an interest in continuing to serve on their current board or commission. Staff liaisons have contacted the incumbents to determine their interest in being reappointed. The names of those incumbents wishing to be reappointed are attached for Council's consideration.

Once reappointments are determined, the second step of the process is to advertise the remaining vacancies and for Council to appoint new members based on the applications received and interviews conducted.

Four vacancies will exist due to incumbents who do not wish to be reappointed. There is also a vacancy on the Library board due to the recent death of Lucille Cronin on February 29. In addition, there are two outstanding vacancies that need to be filled, one on the Cable Access Advisory Commission and one on the West Main Street Historic District Commission.

Attached is a resolution that authorizes the City Council to reappoint incumbents to various boards and commissions and allow staff to begin disseminating information regarding boards and commissions vacancies.

Please contact me if you have any questions.

Sincerely,

Libby Richart
Communications Coordinator
(989) 837-3307

City of Midland
Boards & Commissions
2016 Appointment Process & Timeline

March 21	City Council considers reappointing incumbents.
March 22	City begins publicizing boards and commissions' vacancies and accepting applications from citizens interested in being appointed to a board or commission.
April 22	Application deadline, 5 p.m.
May / June	Council conducts applicant interviews and makes appointments.
June 30	Terms end.
July 1	New terms begin.

Listed below are the current Boards and Commissions members with terms expiring June 30, 2016 (one exceptions is noted in **red**) and their length of service.

Aviation Advisory Commission (3-year terms) – staff liaison Brian McManus

YES James Pollack – first appointed June 1995 (Citizen at Large)

Board of Review (3-year terms) (terms expire April 30) – staff liaison Reid Duford

YES Don Acker – first appointed August 2010

Cable Access Advisory Commission (3-year terms) – staff liaison Ron Beacom

YES Ron Felzke – first appointed July 2013 (Citizen at Large)

YES Scott Cochran – first appointed October 2010 (MPS Representative)

Vacant position – term to expire June 30, 2018 (MCTV Access User)

Dial-A-Ride Advisory Commission (3-year terms) – staff liaison Karen Murphy

YES Dan McGillivray – first appointed October 2014 (Senior Representative)

YES Richard Olson – first appointed April 2013 (Council on Aging Representative)

International Fire Code Board of Appeals (3-year terms) – staff liaison Chris Coughlin

YES Grant Helms – first appointed November 2013

Library Board (3-year terms) – staff liaison Melissa Barnard

NO Maxine Brink – first appointed May 2004 (Township Representative)

YES Michael Burhans – first appointed June 2010 (Citizen at Large)

YES Laura Peterson – first appointed June 2010 (MPS Representative)

Parks & Recreation Commission (3-year terms) – staff liaison Karen Murphy

NO Kristen Bovid – first appointed June 2009

YES Patty Carlson – first appointed June 2009

YES Ares Varela – first appointed June 2013

Planning Commission (3-year terms) – staff liaison Brad Kaye

YES Lowell McLaughlin – first appointed June 2011

NO Ray Senesac – first appointed July 1995

YES Judd Tanzini – first appointed March 2011

West Main Street Historic District Commission (3-year terms) – staff liaison Brad Kaye

Vacant position – term to expire June 30, 2018 (Historic Society Representative)

NO Michael Mazor – first appointed June 2013

YES Mike Storey – first appointed May 2007

Zoning Board of Appeals (3-year terms) – staff liaison Brad Kaye

YES Tim Lichtenwald – first appointed May 2001

YES Richard Siemer – first appointed April 2011



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BY COUNCILMAN

WHEREAS, City staff has contacted all boards and commissions members whose terms expire June 30, 2016, to confirm their interest in being reappointed and has provided City Council with said information; now therefore

RESOLVED, that the City Council hereby reappoints the following incumbents to the following boards and commissions effective July 1, 2016 for three (3) year terms ending June 30, 2019:

James Pollack, Aviation Advisory Commission, Citizen at Large
Ron Felzke, Cable Access Advisory Commission, Citizen at Large
Scott Cochran, Cable Access Advisory Commission, MPS Representative
Dan McGillivray, Dial-A-Ride Advisory Commission, Senior Representative
Richard Olson, Dial-A-Ride Advisory Commission, Council on Aging Representative
Grant Helms, International Fire Code Board of Appeals, Code Professional
Michael Burhans, Library Board, Citizen at Large
Laura Peterson, Library Board, MPS Representative
Patty Carlson, Parks & Recreation Commission, Citizen at Large
Ares Varela, Parks & Recreation Commission, Citizen at Large
Lowell McLaughlin, Planning Commission, Citizen at Large
Judd Tanzini, Planning Commission, Citizen at Large
Mike Storey, West Main Street Historic District Commission, Citizen at Large
Tim Lichtenwald, Zoning Board of Appeals, Citizen at Large
Richard Siemer, Zoning Board of Appeals, Citizen at Large; and

RESOLVED FURTHER, that City Council hereby reappoints Don Acker, Board of Review, for a Citizen at Large term beginning May 1, 2016 and ending April 30, 2019; and

RESOLVED FURTHER, that City staff is directed to begin disseminating information regarding the remaining boards and commissions vacancies.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 21, 2016.

Selina Tisdale, City Clerk

Attached documents for item Receiving and filing the City Manager's report concerning the Special Assessment District for the Shopping Area Redevelopment Act (SARA) assessment and setting a public hearing of necessity on the proposed improvements (4/11) TISDALE

**SUMMARY REPORT TO CITY MANAGER
for City Council meeting of March 21, 2016**

SUBJECT: Request to renew the special assessment for the downtown Midland Shopping Area Redevelopment Act (SARA) district

INITIATED BY: Selina Crosby Tisdale, Community Affairs Director

RESOLUTION SUMMARY:

This resolution receives and files the City Manager's report concerning the special assessment district for the Shopping Area Redevelopment Act (SARA) assessment and directs the City Clerk to give notice of a hearing of necessity scheduled for Monday, April 11, 2016 to hear any objections or suggestions on the proposed assessment district.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution for Council action

CITY COUNCIL ACTION:

3/5 vote required to approve resolution



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March 16, 2016

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

Every two years Midland City Council considers renewal of the Shopping Area Redevelopment Act (SARA) assessment for its principle shopping district in downtown Midland.

SARA is a tool provided by the State of Michigan that allows cities with a master plan to establish principal shopping district(s) and levy special assessments to promote the district. The Act provides the legal basis for which a process can be used in activities for the development or redevelopment of a principal shopping district. Such activities may include regulating parking; maintaining and operating a district; improving streets; contracting for operating and maintenance of off-street parking; acquiring, maintaining, or operating real and personal property; promoting economic activity in the district by conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions and sponsoring special events and related activities.

Since 1994, the SARA has been recommended and approved at an assessment rate of \$36,000 annually to properties in downtown Midland. The SARA assessment is applied to properties within the original downtown district footprint and not assessed to properties in the expanded downtown district that was adopted in 2012.

In 2014, the Midland Downtown Business Association (MDBA), the primary recipient of SARA revenues, met with the district to receive input on the consideration of increasing the SARA assessment from \$36,000 to \$45,000 annually. This received favorable input from the district and was ultimately approved by the SARA board and Midland City Council in 2014.

The district was interested in the MDBA revisiting this assessment in 2016 to see if growth in the district would warrant extension of the SARA assessment into the expanded district. In fall 2015, the MDBA took a look at the type of growth experienced in the expanded district and found that it was not beneficial to extend the SARA into the expanded district at this time.

Therefore, the 2016 SARA renewal request will be to maintain the SARA assessment at its current rate of \$45,000 annually and applied to the original district as it has been in the past.

The SARA assessment continues to be assessed based on front footage and according to two characteristics which are based on the amount of benefit a property receives from the use of SARA funds.

The first characteristic is the **LOCATION** of the property in relationship to Main Street. Those located on and closer to Main Street are classified in **Zone 1** and those properties off Main Street are classified in **Zone 2**. The second characteristic is the **TYPE** of business that occupies that property. Business types are assessed according to the following:

Zone 1	Zone 2
<ul style="list-style-type: none"> Factor of 1 for retailers, restaurants & financial institutions Factor of .25 for services Factor of .5 for hotels 	<ul style="list-style-type: none"> Factor of 0.25 for retailers & restaurants Factor of 0.125 for services



The \$45,000 collected annually through SARA revenue is budgeted by the MDBA and is recommended for allocation as follows:

- \$16,500 for staff support from the Downtown Development Authority
- \$15,500 for holiday decorations
- \$ 8,000 for events and promotions
- \$5,000 for shop/dine advertising of the district

What do property owners and businesses receive from their SARA assessment?

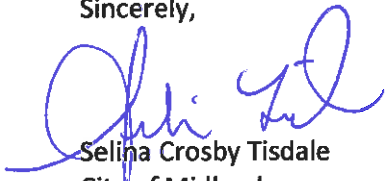
As indicated in the budget breakdown above, the revenue received from the SARA assessment provides for:

- The holiday decorations that light up the downtown for the holidays from November through December;
- Staff support including the coordination and execution of all MDBA sponsored events, coordination of the MDBA marketing committee and its projects, social media marketing and maintenance of the downtownmidland.com website and meeting preparation and project follow up identified by the MDBA board and All Businesses meetings;
- The costs for holding and marketing MDBA-sponsored events: My Wish List, Meet Your Merchants, Downtown Story Day, sidewalk sales, Cruise 'n Car Show, Chili & Salsa Taste-Off, Holiday Open House weekend and Holly Jolly Days and;
- the proposed amount continues the newly-added element of downtown promotions focused specifically on increasing awareness of the shopping and dining elements of downtown Midland.

The MDBA board recommended the above-described plan for the 2016-18 SARA assessment to the SARA board (which is also the DDA board) on March 9. The SARA board unanimously approved the recommendation for Midland City Council consideration, final approval and implementation.

The attached resolution provides for City Council's review of the 2016-18 SARA assessment renewal recommendation and sets hearing of necessity for April 11, 2016.

Sincerely,



Selina Crosby Tisdale
City of Midland
Community Affairs Director
stisdale@midland-mi.org
989-837-3304

Timeline:

- MDBA board met September 10, 2015 to review SARA details and recommended no change be made to the SARA renewal for 2016-18
- MDBA All Business meeting held on September 23, 2015 recommendation to maintain SARA at its current level discussed and supported
- February 11, 2016 The MDBA board requested that the SARA Board (DDA Board) consider the recommendation at its March 9 meeting
- SARA board met on March 9 and approved the recommendation for council consideration.
- Introduced to Midland City Council on **March 21**
- City Council schedules a hearing of necessity for **April 11**
- City Council schedules a public hearing on the roll for **April 25**
- Public hearing on the roll and adoption will take place on **April 25**
- Approved assessment applied, ½ on **July 1, 2016** and ½ **July 1, 2017**



Zone 1: properties within one block of Main Street

- Factors applied to front foot calculations
 - Factor of 1.00 for retailers & restaurants
 - Factor of 0.25 for services

Zone 2: properties northeasterly of Larkin Street, southwesterly of Ann Street, and northwesterly of Jerome Street

- Factors applied to front foot calculations
 - Factor of 0.25 for retailers & restaurants
 - Factor of 0.125 for services

Assessment for the entire district is spread over a 2-year period

- 1st ½ of the assessment to be billed July 1, 2016
- 2nd ½ of the assessment to be billed July 1, 2017



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BY COUNCILMAN

WHEREAS, the City Manager has presented his report to the City Council presenting certain information regarding the 2016 Downtown Economic Revitalization Public Improvement Program in the City of Midland in conformance with provisions of Chapter 20 of the Code of Ordinances of the City of Midland; and

WHEREAS, the City Council has reviewed said report in order to decide the cost, extent and necessity of the proposed improvement program; and

WHEREAS, the Council finds and determines that said improvements, as before listed, appear to be necessary public improvements conducive to the general health, convenience and welfare of the people of the City of Midland and that the estimated period of usefulness of said improvements is two (2) years; and

WHEREAS, said public improvements shall constitute one special assessment district to be known as:

**“2016 DOWNTOWN ECONOMIC REVITALIZATION
PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT”**

Which is hereby established and that said district comprises the following described lands and premises:

That area located in the Southwest $\frac{1}{4}$ of Section 16, the Southeast $\frac{1}{4}$ of Section 17, the Northwest $\frac{1}{4}$ of Section 21, and the Northeast $\frac{1}{4}$ of Section 20, bounded by West Main Street, Ripley Street, Eastman Avenue, Buttles Street, Cronkright Street, the Tittabawassee River, the “Tridge”, and all lands within 100 feet of the structure, the Tittabawassee River, and Isabella Street (M-20) excepting the Southeasterly 10 feet of Lot 4, and all of Lots 9, 10, 11 and 12 of Block 35, Carpenter and Hines Addition, all within the City of Midland, Midland County, Michigan.

; and

WHEREAS, the proposed improvements and work to be completed in said Special Assessment District shall consist of advertising, promotions and events, holiday decoration rental and contributions toward the salary and miscellaneous expenses for the Downtown Development Authority office staff support, and that the total estimated cost and expense thereof is ninety thousand dollars, (\$90,000.00); and

WHEREAS, the proportion of the cost and expense of said improvements to be borne and paid for by the City at large, County, and/or DDA shall be zero (\$0) and that all other costs and expenses of said revitalization program amounting to ninety thousand dollars (\$90,000.00) shall be borne and paid by special assessments on all lands and premises in said Special Assessment District as established above, in proportion to the estimated benefits resulting thereto from the improvement, determined as near as practicable on a front foot basis; now therefore

RESOLVED, that the report concerning said improvements is hereby adopted and shall be placed on file in the office of the City Clerk, and the same shall be available for public inspection during regular business hours; and that the City Council will meet in the City Hall, 333 W. Ellsworth, on Monday, April 11, 2016, at 7:00 p.m. to hear any objections or suggestions regarding the proposed improvements; and

RESOLVED FURTHER, that the City Clerk shall give notice of said hearing of necessity by causing a notice of this resolution to be published once in the Midland Daily News at least one week prior to said hearing date, and that the City Clerk shall also give notice of said hearing date to each property owner subject to special assessment by reason of said improvement, the address of said property owners to be taken from the latest tax assessment roll in the City Assessor's office in accordance with Act 162 of Public Acts of Michigan 1962.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 21, 2016.

Selina Tisdale, City Clerk